USSN: 10/712,512
Response to Office Action Dated 04/19/2006

REMARKS

Reconsideration of the above-identified application in view of the following remarks is requested.

Claims 1-19 are currently before the Examiner.

Claims 1-3, 5-9 and 11-19 stand rejected under 35 U.S.C. 102(b) as being anticipated by Desor *et al.*, U.S. Patent No. 6,005,042. The rejection is respectfully traversed.

Initially, applicants state that the dispersions of the present application are prepared by a process having the opposite stage arrangement of Desor *et al.* The present application teaches and claims a first stage polymerization of "hard" monomers (Tg of at least 50°C) and a second stage polymerization of "soft" monomers (Tg about -30 to about 10°C). Therefore, the present application claims a "hard polymerization stage" followed by a "soft polymerization stage." Conversely, Desor *et al.* require a "soft polymerization stage" followed by a "hard polymerization stage."

Specifically, the office action states that the aqueous dispersion product of Desor *et al.* is considered to be equivalent to that of applicants even though it may have been derived by a different process, that applicants have not clearly shown that the dispersion of the present invention differs from that of Desor *et al.*, and that such differences are attributable to the reversion of the process stage involved. Therefore, the Examiner maintains that the process of Desor *et al.* would provide a product that is essentially the same as applicants claimed dispersion.

In response, applicants refer to Comparative Example 3 of the present application. Comparative Example 3 is prepared utilizing the opposite polymerization stage arrangement ("soft" then "hard") than utilized in Example 1and currently claimed ("hard" then "soft"). Referring to Table 2, the hot-block resistance of transparent films, specifically 125g - 6 hours at

50 °C, prepared according to the invention (Example 1) are clearly improved over those prepared by the opposite stage arrangement (Comparative Example 3). Referring to Table 4, the hot-block resistance of white gloss films, specifically 125g - 6 hours at 50 °C, prepared according to the invention (Example 1), as well as the gloss on glass (at both 60 and 20 °C), are clearly improved over those prepared by the opposite stage arrangement (Comparative Example 3).

Also referring to Tables 2 and 4, the film formation at low temperature of films prepared according to the process of the present invention are also improved over those prepared by the opposite stage arrangement.

Claims 1-19 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Desor *et al.* as applied to claims 1-3, 5-9 and 11-19 above, and further in view of Gray *et al.* U.S. Patent No. 6,875,834. The rejection is respectfully traversed.

Specifically the office action states that the present application differs from Desor *et al.* in that the reference does not include the specific strong acid monomers of applicant's claim and it would have been obvious to include an acidic monomer, such as phosphoethyl methacrylate, as taught by Grey et al. in the monomeric compositions of Desor *et al.* to achieve enhanced durability.

In response, applicants refer to the above discussion and state that the teaching of Gray *et al.* does not cure the deficiency of the opposite stage arrangement of the present application when compared to that taught by Desor *et al.* The combination does not teach or suggest the dispersions of the invention, prepared by a first hard polymerization stage, followed by a second soft polymerization stage, would result in coatings or films having improved block resistance, gloss on glass, and enhanced film formation at low temperature, as presently disclosed and claimed.

In light of the above remarks, it is respectfully submitted that the pending claims of the present application are in condition for allowance.

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If it would be of assistance with this application, the Examiner is invited to contact the undersigned.

Respectfully submitted,

Lisa Kimes Jones
Registration No. 41,878

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Hexion Specialty Chemicals, Inc.
1600 Smith Street 24th Floor, P.O. Box 4500
Houston, Texas 77210-4500

Direct Phone: (832) 366-2571
Direct Facsimile: (281) 205-2755
lisa.jones@hexion.com